REMARKS

Applicant hereby responds to the Final Office Action mailed May 8, 2003 regarding the above-referenced patent application, of which this Response is being filed within TWO MONTHS, so Applicant requests an Advisory Action if the Examiner does not believe this Response puts the application in condition for allowance. In the May 8, 2003 Final Office Action, the Examiner rejected claims 1-37 pending in the application. Upon entry of the foregoing amendments, Applicant amends claims 1, 12, 18, 27, 32, and 35. Support for the amended claims may be found in the originally filed specification, and thus, no new matter is added by this amendment. Upon entry of the foregoing amendments, claims 1-37 (5 independent claims; 37 total claims) remain pending in the application. Applicant requests reconsideration in view of the above amendments and the following remarks.

Claims 1-37 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Garback, U.S. Patent No. 5,237,499, issued August 17, 1993 (hereinafter "Garback") in view of DeLorme et al., U.S. Patent No. 5,948,040, issued September 7,1999 (hereinafter "DeLorme"), further in view of DeMarcken, U.S. Patent No. 6,275,808 B1, issued August 14, 2001 (hereinafter "DeMarcken"), further in view of Cochran et al., U.S. Patent No. 4,879,648, issued November 7, 1989 (hereinafter "Cochran"). Applicant respectfully traverses this rejection.

Garback discloses a computer based system configured for limited processing of travel requests directed to a specific venue from individual members of a sponsored group. The system includes a venue file that contains information regarding the specific venue. In addition, the system includes information for each individual member of the group and information on pre-selected vendors of various travel services. An individual may enter a travel request via a computer that is connected to a variety of airline CRS systems. The individual enters the travel request by entering various information (see Figure 3) such as a venue code, departure city, departure date and time, destination city, and return data and time. Using information from the venue file that matches the venue code, the airline, hotel, and ground transportation vendors are selected. (Col. 6, lines 11-27) An itinerary is then booked which relies on the pre-selected vendors. (Col. 5, lines 49-50) The Garback system also provides for making a price comparison between negotiated fares from the pre-selected vendors (col. 5, lines 41-56), but it does not identify an airport based on an activity location. The itinerary of Garback includes specific airline, hotel, and ground transportation reservations, but does not include activity locations or

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activity times. In addition, as noted by the Examiner, Garback does not disclose or suggest a system that includes an activity location or an activity time.

DeLorme generally discloses a computerized travel reservation system that generates "map ticket" output in various media, for guidance and transactions en route. The Examiner asserts that DeLorme provides for "an itinerary planning tool which allows for the entry of activity locations and times, see figure 1C (167) for the benefit of providing detail for an itinerary planner within a geographical location system." Applicant respectfully disagrees with the Examiner's characterization of the information shown at figure 1C (167) of DeLorme. The DeLorme system uses this information to provide map annotations that show "topical information" (i.e., "What/Who data") and "temporal information" (i.e., "When data"). (Col. 25, lines 4-35). However, this information is not in any way used by the DeLorme system to identify airports that are near an activity location.

DeMarcken generally discloses a specific airline travel planning system. The user of the travel planning system will either enter an airport code or a location such as a city, region or country. (see col. 59, lines 53-56) If the user enters a location, then a listing of airports in a region about the location is displayed and the pricing solutions would be determined for the various combinations of the flights between for the displayed airports. The locations used by DeMarcken are physical locations and are distinguished from the activity information of the present invention as the locations do not include an activity time or an activity duration. Thus, DeMarcken does not disclose, teach, or suggest using activity information for a specific activity to identify airports or transportation destinations that are within a threshold measurement of the activity location. Indeed, as noted by the Examiner, DeMarcken is simply cited to show "a display of multiple airports and a plurality of flights associated with the airports."

Cochran generally discloses a search system that continuously displays search terms during display of various data sets. The search system allows a user to select a desired search term to control the display of the data sets. If the user changes the search term, the search system may launch a new search of a database to produce new data sets for display. As illustrated in Figure 4, Cochran allows a user to search for a hotel within a certain distance from a city. The location information entered by the user is information corresponding to physical locations and is distinguished from the activity information of the present invention as the locations do not include an activity time or an activity duration. Thus, Cochran does not teach or suggest using

activity information for a specific activity to identify airports or transportation destinations that are within a certain distance from a city.

In contrast to Garback, DeLorme, DeMarcken, and Cochran, the presently claimed invention has a completely different purpose in that it receives activity information for a particular activity and the activity information is then used by complex hardware and software to identify airports or transportation destinations that are within a threshold measurement of the activity location. In other words, the system and method of the presently claimed invention does not utilize airport location information provided by an individual. Rather, it utilizes complex hardware and software to identify an appropriate airport for an activity location that is within a threshold measurement such as distance or time. In contrast to the presently claimed invention, the cited references find an airport based on an airport code identified by the user or list a plurality of airports for the user to select. Prior art systems may list airports for a given location such as Annapolis, MD, and then the user may choose from the list of airports such as BWI airport, Dulles airport, National airport, but the prior art systems will not identify an airport using threshold measurements to an activity location as recited by the presently claimed invention.

For example, as stated by amended independent claim 1, "an activity indicator including an activity location and an activity start time" is received from a client computer (see 115 and 120 of Figure 1). In addition, the activity indicator is used by complex hardware and software to identify "a first airport, the first airport being within a first threshold measurement of the activity location, wherein the first threshold measurement comprises at least one of a walking distance, a set distance, and a time threshold." The identification of an airport that is within a threshold measurement of an activity location is not disclosed, taught or suggested by the cited references. In addition, independent claims 12 and 32 recite a similar element of identifying an airport (or transportation destination as recited by independent claim 12) that is within a threshold measurement of an activity location. Similarly, independent claim 27 recites a processor that is used to "identify a plurality of transportation options wherein each of the plurality of transportation options arrives at the activity location prior to the activity time" and independent claim 35 recites developing "a proposed transportation plan corresponding to the received activity indicator."

In addition to the above distinctions, the cited references do not disclose, teach or suggest "computing an optimal arrival time" and identifying a flight or other transportation option that arrives prior to "the optimal arrival time" as recited by amended independent claims 1, 12, 27, 32,

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and 35. Furthermore, independent claims 1, 12, 27, and 32 are further distinguished from the cited references as these claims variously recite providing an "optimal trip option" for transportation from the origin to the activity location, wherein the "optimal trip option" includes the identified flight or transportation option. In addition, the cited references do not disclose, teach or suggest identifying "an optimal ground transportation option" as recited by amended independent claims 1, 12, and 32 and then providing "the optimal ground transportation option" with the "optimal trip option." These elements of amended independent claims 1, 12, 27, 32 and 35 are not disclosed, taught or suggested by Garback, DeLorme, DeMarcken, or Cochran. Support for the amendments to independent claims 1, 12, 27, 32 and 35 may be found in the originally filed specification, and no new matter has been introduced.

In addition, the prior art contains no suggestion or motivation to supply the missing elements of independent claims 1, 12, 27, 32, and 35. Thus, one skilled in the art would not have been motivated to produce the presently claimed invention, even if they had knowledge of the prior art.

Applicant submits that there is no suggestion or motivation to combine the four references cited by the Examiner. The prior art must suggest the desirability of the claimed invention. MPEP 2143.01

"Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art." *MPEP 2143.01 citing In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).*

For the above reasons, Applicant submits that each and every element of amended independent claims 1, 12, 27, 32, and 35 would not have been obvious over Garback in view of DeLorme, further in view of DeMarcken, and further in view of Cochran. Accordingly, Applicant respectfully requests a withdrawal to rejection of claims 1, 12, 27, 32, and 35 (and claims 2-11, 13-26, 28-31, 33, 34, 36, and 37 which variously depend from independent claims 1, 12, 27, 32, and 35) under 35 U.S.C. § 103(a).

CONCLUSION

In view of the foregoing, Applicant respectfully submits that all of the pending claims fully comply with 35 U.S.C. § 112 and are allowable over the prior art of record. Reconsideration of the application and allowance of all pending claims is earnestly solicited. Should the Office wish to discuss any of the above in greater detail or deem that further amendments should be made to improve the form of the claims, then the Office is invited to telephone the undersigned at the Office's convenience.

Respectfully submitted,

Date: _7/8/03_

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